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THE UNITED STATES HOUSE OF REPRESENTATIVES

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CHAPTER I

INTRODUCTION

A knowledge of the House of Representatives is important to members of the armed services, and particularly to those who receive specialized training in comptrollership, both as a matter of citizenship and because the Congress exercises legal control over administrative and budgetary processes of the executive branch through substantive legislation and enactment of appropriation bills. An understanding of Congress is necessary to an appreciation of its actions. These actions result from interplay of politics, sectionalism, seniority, and similar factors. The centers of power in Congress exercise a tight control over legislation. The size and composition of the armed forces depends then upon Congress and those who propound the case of the armed forces before that body can better present that case if aware of the many factors which influence the individual congressman. It is obvious that mutual understanding will benefit the common endeavor of national defense.

This paper will be generally limited to a study of the House of Representatives since that body takes initial and most comprehensive action on the President's budget. This is no reflection on the prestige of the United States Senate, considered by many to be the most powerful legislative body in the world. Emphasis will be placed on conditions as they exist in the 84th Congress.

"The Congress of the United States is the world's best hope of representative government. In its halls decisions are made which may make or break

CHAPTER I

INTRODUCTION

not only our own nation but also the whole free world."[1] Congress is faced with one major enemy, world communism, and two fundamental internal problems--curbing and integrating self-centered special interests and holding responsible the ever-growing bureaucracy which threatens to throw our representative system of government off balance.

Since the Senate is now elected by direct popular vote, the concept of the House's being the "popular" body rests on the grounds that since the entire membership is forced to seek re-election every two years, the House is more responsive to the people; also, at least in the larger states, representation is in proportion to the population.[2] "Congressmen necessarily and properly reflect the attitudes and needs of their individual districts, and many, if not most, of these are economic."[3] "Representative government is based on the idea that voters will choose certain individuals who will act for them in certain matters, or for a fixed period on all matters of policy."[4] In other words, under our representative system, the national will is the sum of the individual wills expressed in their choices of Senators and Representatives in the several states and congressional districts. The President is envisioned as the only nationally elected representative of the individual voters. This is true to the extent that he speaks for the nation, but in most instances his election is secured by a combination of sectional, economic, minority and

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[1]Ernest S. Griffith, Congress--Its Contemporary Role, (New York: New York University Press, 1951), p. 1.

[2]Cladius O. Johnson, Government in the United States, (New York: Thomas Y. Crowell Co., 1952), p. 351.

[3]Griffith, op. cit., p. 3.

[4]Harvey Walker, The Legislative Process, (New York: The Ronald Press Company, 1948), p. 130.

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[1] James C. Griffin, [illegible] (New York: [illegible]), p. 1.

[2] Oliver G. Jensen, [illegible] (New York: [illegible]), p. [illegible].

[3] Griffin, [illegible], p. 4.

[4] Harvey Miller, [illegible] (New York: [illegible]), p. [illegible].

other political interests--a majority of the same voters, as represented in the Electoral College,[5] that elect the individual members of Congress.

Unfortunately, many of the voters who participate in presidential elections often ignore the selection of their congressman in both primary and final elections. Voting in the off-year elections is always less than in the presidential years, particularly when no Senate seat is in contest. This can be explained in part by lack of publicity as well as lack of interest. Some states encourage a larger off-year vote by means of holding elections for high state officials in the non-presidential years. Based on public opinion polls which have indicated that more than half of the persons interviewed did not know the name of their congressman, the length of his term, or even that there would be an election in 1946, Millspaugh states that: "The House of Representatives suffers most from popular ignorance or indifference."[6]

The history of this nation reveals a constant shift in the balance of power between the executive and congressional branches of the government. This has been due to the election of "strong" or "weak" presidents, divided political control of the two branches (and of the two houses of Congress), and the spirit of the times. In periods of war or depression, the chief executive has usually exerted his powers to a considerable extent--in other eras, Congress has often been supreme. In discussing this instability which affects the predictability, continuity, and certainty of governmental action, Millspaugh considers first:

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[5] And not necessarily a majority of the voters, e.g., J. Q. Adams, Lincoln, Hayes, B. Harrison, Wilson, Truman. The World Almanac and Book of Facts, 1956 (New York: The New York World-Telegram, 1956), p. 580.

[6] Arthur C. Millspaugh, Toward Efficient Government, (Washington, D. C.: The Brookings Institute, 1949), p. 178. This ignorance is a sad commentary on the efficacy of our public schools.

> The familiar and often uncalculated shift from congressional to presidential government and back again. . . . Changeability in the presidency is matched by changeability in Congress, for the character of Congress is determined basically by the play of ecomomic interest, party allegiance, and personalities in four or five hundred territorial subdivisions.[7]

The members of this generation are accustomed to the "strong" presidency. Only four of the past thirteen presidential terms (since 1901) were occupied by less than potent party leaders. On the other hand, Wilson, in 1885, having known only Lincoln to emerge from the long line of political pawns that followed Jackson after 1837, considered Congress to be supreme:

> I am disposed to think, however, that the decline in the character of the Presidents is not the cause, but only the accompanying manifestation of the declining prestige of the presidential office. That high office has fallen from its first estate of dignity because its power has waned; and its power has waned because the power of Congress has become predominant.[8]

The evils of a breakdown in the traditional balance of powers are best illustrated by a consideration of the Reconstruction era when Congress, dominated by the House of Representatives, ruled almost supreme. A single party representing a single part of the nation achieved the closest thing to dictatorship that we have known. The result was control of elections by the use of federal troops, impeachment of President Johnson (with failure to convict by but one vote) on purely political grounds, addition to Supreme Court membership to insure desired decisions, repeated passage of legislation of doubtful constitutionality over presidential veto, and finally, "theft" of the Election of 1872. Fortunately, the political compromise which allowed the inauguration of President Hayes without violence resulted in the withdrawal of troops from

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[7] Ibid., p. 67.

[8] Woodrow Wilson, Congressional Government, (Boston: Houghton Mifflin and Co., 1898), p. 43.

the "rebellious" states and the end of the single party dictatorship.[9]

Obviously, the very life of the representative system as we know it depends upon an equilibrium among the major parties, the geographical sections, and the branches of the government. Proposed "reforms" which would upset this balance of power or prevent the continuance of a strong minority party (e.g., proportional representation) should be viewed with the suspicion that the cure may well be more nearly fatal than the disease.

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[9] Claude G. Bowers, The Tragic Era, (New York: Blue Ribbon Books, 1929), passim.

CHAPTER II

ORIGINS

Legislative experience prior to the establishment of government under the Constitution in 1789 consisted of the colonial legislatures, the Continental Congress, and the Congress under the Articles of Confederation. Many of the founders of the Constitution had served in these bodies and brought that experience to the Convention of 1787. In addition, they were, for the most part, avid students of the political writings of the times and familiar with other governmental systems, particularly the British Parliament. Through bitter experience they had learned a mistrust of strong executive power and the early legislative bodies reflected that feeling. The need for some sort of a central government to resist the British was recognized by the revolutionary states, but to that central authority was granted as little power as possible.

> The first Continental Congress was a revolutionary body, pure and simple, deriving its right to exist from the sanction of common consent and force. From the earliest meeting in 1774 until nearly the surrender of Cornwallis in 1781, it remained a voluntary body, without formal authorization or a deliberate constitution. The States wanted independence, but were jealous of their complete freedom of action.[1]

Ratification of the Articles of Confederation provided a formal government in which the limited executive powers granted by the States were retained in the Congress. Government under the Articles of Confederation was successful to the extent that it provided the minimum organization sufficient to carry

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[1]Frederic L. Paxson, History of the American Frontier 1763-1893, (Boston: Houghton Mifflin Company, 1924), p. 47.

[1]Frederic L. Paxson, History of the American Frontier, 1763-1893, (Boston: Houghton Mifflin Company, 1924), p. 47.

the war to a satisfactory conclusion and to establish peace and order. "The Articles of Confederation were weak and inadequate at best. They provided only a meeting place for debate and recommendation, without power to enforce a decision or to protect the majority will. . . . No important acts could be taken without a two-thirds vote of the States."[2] The inherent weakness was dual sovereignty and the prospects of the thirteen states acting in unison toward their common good, particularly in the important fields of finance, taxation, defense, and foreign relations, appeared dubious. None of the states was strong enough to stand alone, but none was willing to surrender its powers to a central government. Internal trade barriers began to develop; economic radicalism with demands for cheap money alarmed conservative leaders (Washington, Morris, Hamilton); and, decline in foreign trade, inability to enforce treaty rights, depreciation of the currency, and failure to meet debt payments demonstrated to thinking men of all sections that a stronger central union was essential to survival.[3]

Little but debate was accomplished in the Congress. States failed to pay their tax requisitions and attendance of members was increasingly delinquent. To quote James Truslow Adams: "The one great act of statesmanship . . . had been the Northwest Ordinance, passed in 1787, for the purpose of providing for the governing of this vast tract, which formed a possible colonial empire as large as the Union itself."[4]

Even Jefferson, author of the Declaration of Independence, and long a

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[2] Ibid., p. 48.

[3] William Anderson and Edward W. Weidner, American Government, (New York: Henry Holt and Company, 1953), pp. 72-75.

[4] James Truslow Adams, The Epic of America, (New York: Blue Ribbon Books, 1931), p. 105.

foe of federalism, influenced by his experiences as Minister to France, realized that the Articles were not adequate for a solid and enduring union. He was convinced that:

> Until teeth were put into the compact, particularly in the raising of money and in foreign relations, America would never command the respect of the rest of the world or be able to enforce its own proper demands. He had even gone so far on occasion to express a wish that Congress be empowered to use force against recalcitrant states.[5]

During the period 1785-86, public sentiment became more conservative. The radical leaders of the Revolution gradually lost power. People began to desire to settle down to work and to trade. They were content with political revolution and exhibited little desire for radical social and economic changes.

Conservative, property-holding classes, who came into political control of most of the states, began to think in national terms. The prospects of three or four small, divided groups of ex-colonies and possibilities of British intervention under such circumstances were strong influences toward the development of a federalist approach to the union.

Resolutions were pushed through state legislatures which resulted in a call for a convention at Annapolis in 1786 to amend the Articles of Confederation. Since only five states sent delegates, this convention adjourned, but, first, proposed further action by the states to establish a strong central government. Congress supported this call, which resulted in the famous Convention of 1787.[6]

Despite its failures, the Confederation government made substantial contributions to the Constitution. "The Constitutional Convention was to adopt

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[5]Nathan Schachner, Thomas Jefferson, (New York: Appleton-Century-Crofts, Inc., 1951), I, 340.

[6]Anderson and Weidner, op. cit., pp. 75-77.

sweeping reforms of a profoundly important character, but nevertheless, it built upon the constitutional foundations erected in the Confederation era."[7] Walker has placed a different emphasis on these foundations in stating that: "Our present national Constitution, which went into effect in 1789, was based almost in its entirety on pre-existing state constitutions and current political theory."[8]

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[7] Alfred H. Kelly, and Winfred A. Harbison, The American Constitution, (New York: W. Norton & Company, 1948), I, 113.

[8] Walker, op. cit., p. 41.

CHAPTER III

THE CONSTITUTIONAL CONVENTION

The United States Constitution, as finally signed by thirty-nine delegates September 17, 1787, was the result of a long series of compromises in convention between proponents of varied interests. Representation at the convention was comprised of members of the propertied classes who agreed, generally, as to the need for an effective central government, but differed as to the means to this end. Of the seventy-four delegates appointed by twelve states, but fifty-five ever attended the convention. Nine of the seventy-four refused to accept the appointment. Rhode Island was at no time represented and did not enter the Union until May 29, 1790, a year after the government was organized. Average attendance of delegates at the convention was probably no greater than thirty to thirty-five. Of the capabilities of the individual delegates, only the highest of praise has been reported. For example:

> These men constituted as distinguished and brilliant a body of statesmen as America could have brought together, nearly all of America's great men of the day being present. Most of the delegates had long experience in public office, and many were to rise to further eminence in the service of the government they were creating. While most were lawyers and statesmen, the mercantile and landed classes were also well represented.[1]

Absent on foreign missions were Jefferson and John Adams. Not in attendance were those who opposed a strong central government, including such leaders of the Revolution as Sam Adams and Henry. These opponents led the

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[1] Kelly and Harbison, op. cit., I, 120-21.

fight against ratification which nearly succeeded. The adoption of the Bill of Rights, i.e., the first ten amendments, was the price paid by the conservatives for enough votes to secure ratification by the nine states necessary to place the new Constitution into effect.

Convention sessions were held in Philadelphia. Washington was unanimously chosen to preside. Each state, as in the old Congress, was allowed one vote. "In order to permit the members to speak freely and plainly and to protect them against criticism and pressure,"[2] it was decided to hold sessions behind closed doors. Nothing was released for print and the injunction of secrecy was honored. The principal source of knowledge of the convention's discussions has been the extensive notes kept by James Madison.

On the issue of the establishment of a legislature, a major cleavage arose between the large and small states. Since New York was included among the small states and South Carolina usually voted with the large states, considerations of present size will not reveal the make-up of the convention factions--it might be further noted that it is fortunate for the contemporary influence of both New York and South Carolina that the issue was finally compromised. The large states wanted membership in both chambers to be apportioned according to population; the small state bloc desired retention of the principle of equality of states in the legislature. "Finally, the Connecticut delegates, who wanted a strong government, but who were determined to secure some recognition of the states, came forward with very able arguments in support . . ."[3] of that plan which was finally adopted. This provided for equality of

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[2]Frederic A. Ogg and P. Orman Ray, Essentials of American Government, (New York: Appleton-Century-Crofts, Inc., 1950), p. 16.

[3]Johnson, op. cit., p. 21.

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[2]Dawson, op. cit., p. 11.

voting by states in the upper house, but apportionment by population in the lower house. Provisions that no state, without its consent, shall be deprived of equal suffrage in the Senate and that each state shall have at least one representative in the House have made this compromise almost irrevocable. Actually there has been little conflict between small-state interests in the Senate and large-state interests in the House. "As Madison predicted in the Convention, the great controversies of American history have been drawn along sectional rather than interstate lines."[4]

Election of Senators by state legislatures was provided under the theory that these Senators were, in effect, ministers plenipotentiary from the states to the federal government. In the case of representatives, members were envisioned to be delegates from the people rather than from the states--hence reference to the "popular chamber." It was provided, however, that Representatives must be residents of the state from which elected.

> It was also felt that the members of the popular chamber should be able to keep in close touch with their constituents. Local communities had reality at that time. The people were scattered; transportation and communication slow. It was intended that the House of Representatives should be a comparatively numerous body. It seemed logical, therefore, that its members should be apportioned according to population, distributed among localities, and elected locally. It was believed that when the representatives came together in Congress, each would speak with special knowledge of the interests and views of his constituents. Thus, the House as a whole would be informed, extensively and intensively, and would be truly popular.[5]

At this time, suffrage was restricted by various property qualifications. No attempt was made by the convention to broaden the electoral base. Determination as to who should vote was left to the states EXCEPT that ". . . the electors in each State shall have the qualifications requisite for electors of the most

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[4]Kelly and Harbison, op. cit., I, 130.

[5]Millspauth, op. cit., p. 157.

[illegible]

[illegible]

numerous branch of the State Legislature."[6] Other germane constitutional provisions include: The House shall choose its own Speaker and other officers; the legislature of each state shall prescribe the times, places and manner of holding elections for Representatives; Congress may at any time make laws altering these election regulations; the House shall be the judge of the elections, returns, and qualifications of its members; and that the House shall make its own procedural rules.[7] These provisions are important because they give to the House much of the power needed to correct alleged abuses which are noted in the following chapters. Through the years, by amendment, judicial interpretation, and administrative law and custom, the actual operation of the constitutional system is considerably different from what the founders envisioned. Change, however, they anticipated since provision was made for amending the basic provisions. The original concept of the House of Representatives has altered but little during the 167 years which have transpired since the meeting of the First Congress.

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[6] U. S. Constitution, Art. I, Sect 2, Par. 1.

[7] Ibid., Art I, passim.

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CHAPTER IV

ELECTION OF REPRESENTATIVES

During the period following the Revolution, there was a continuous movement to broaden the suffrage. This was resisted by the propertied groups which held the political power, but in state after state the restrictions were lowered. In Pennsylvania, all qualifications for office holding or voting, except payment of a state tax, were eliminated. Similar action was taken in North Carolina. "The revolution brought a distinct increase in the electorate, although the qualifications for voting differed. The poorer elements both in the town and in the frontier sections increased their influence."[1] "By 1825 every Northern State had finally provided for manhood suffrage."[2] This broadening of the electorate followed the Jeffersonian and Jacksonian theories that economic and political democracy would advance together and that opportunity would be assured by manhood suffrage.

A similar movement occurred in England where the right to choose representatives gradually extended to enfranchise the unpropertied classes. Concessions often followed organization of the disenfranchised classes and either armed revolt or threat thereof, e.g., the Reform Bill of 1832. Resistance of the propertied classes extended this period over a hundred years despite a general feeling in the desirability of universal manhood suffrage.[3]

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[1]Adams, The Epic of America, p. 104. [2]Ibid., p. 171.

[3]Herman Finer, Theory and Practice of Modern Government, (New York: Henry Holt & Co., 1949), p. 228.

"Another part of the Jacksonian effort sought to guarantee the political rights of labor. Having gained the ballot, the working man faced the problem of making sure he voted as he pleased."[4] This included efforts toward ballot reform and the elimination of the poll tax.

Due to the constitutional provision which allowed voters for the lower state house to vote for members of the national House, these reforms also increased the electorate for that body. The voters became party conscious and began to expect greater consideration from their elected representatives. In explaining the failure of the later Adams generations to seek elective office, Truslow Adams wrote:

> As we look over the list of the early leaders of the republic, Washington, John Adams, Hamilton, and others, we discern that they were all men who insisted upon being themselves and who refused to truckle to the people. With each succeeding generation, the growing demand of the people that its elective officials shall not lead but merely register the popular will has steadily undermined the independence of those who derive their power from popular election.[5]

The addition of about two and a half million foreigners, chiefly in the Middle Atlantic and New England states between 1830 and 1850 gave an entirely new complexion to the problems of self-government and manhood suffrage. The immigrants were largely underpaid and uneducated and had little experience with participation in government. These new citizens could be easily led by "bosses" and the big city machines began to function in earnest. The wealthy cared little about politics as long as the legislatures gave them the desired results. "People were no longer thinking in terms of statesmanship and the future, but

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[4] Arthur M. Schlesinger, Jr., The Age of Jackson, (Boston: Little Brown and Company, 1946), p. 343.

[5] James Truslow Adams, The Adams Family, (New York: Blue Ribbon Books, 1930), p. 95.

of private business and the present."[6]

With this same control of many seats in the House by district bosses who controlled nominations in the conventions and caucuses and elections through single party domination of many districts. Since these same bosses exercised control over the legislatures, unruly Congressmen, who could not be defeated at the polls, faced the danger of having their districts reorganized to their disadvantage. With the reduction in quality of members came a reduction in moral standards. There were too few like John Quincy Adams who:

> . . . called upon Nicholas Biddle at the United States Bank and handed him a certificate of stock with the request that it be sold immediately, because, although the investment was a profitable one and Adams believed in the Bank, he felt that possibly he would be called upon to vote on some measure connected with it and therefore ought to have no personal interest in it.[7]

Alexander describes the House as "an aggregation of vigorous elements, having different objects, antagonistic notions,and selfish interests, centered about indefinite party policies and moved by personal, political, and sometimes patriotic purposes."[8] Wilson, describing the capability of members (in 1885) tacitly places responsibility upon the electorate:

> But the Senate is in fact, of course, nothing more than a part, though a considerable part, of the public service, and if the general conditions of that service be such as to starve statesmen and foster demagogues, the Senate itself will be full of the latter kind, simply because there are no others available. There cannot be a separate breed of public men reared specially for the Senate. It must be recruited from the lower branches of the representative system, of which it is only the topmost part. No stream can be purer than its sources. The Senate can have in it not better men than the best men of the House of Representatives; and if the House of Representatives attracts to itself only inferior talent, the Senate must put up with

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[6]Adams, The Epic of America, p. 183.

[7]Adams, The Adams Family, p. 214.

[8]DeAlva S. Alexander, History and Procedure of the House of Representatives, (Boston: Houghton Mifflin Company, 1916), p. 27.

> the same sort. I think it safe to say, therefore, that, though it may not be as good as could be wished, the Senate is as good as it can be under the circumstances. It contains the most perfect product of our politics, whatever that product may be.[9]

Millspaugh, who, among other things, recommends abolishment of the House of Representatives, considers the membership as follows:

> In the House of Representatives, few members possess qualifications for national leadership; many can be local leaders, within the restrictions of localism; but at Washington, being parts of a multitude, they lack position, prestige, and power. Those who rise above the crowd--the Speaker and the chairmen of committees--seldom meet the demands of national leadership.[10]

In an attempt to limit the abuses which were attributed to caucuses and conventions, various states adopted legislation providing for the direct primary which allowed the voters to select their party's nominee for office. Such leaders as LaFollette, Bryan, and Theodore Roosevelt championed this principle which has been extended to almost all of the states. Individual states have widely different laws, but the effect has been the same--reduction of power of the political "boss" and less party responsibility for legislation. Whether or not better candidates are actually nominated under the primary is still, after fifty years experience, open to debate.[11]

Actually, once having achieved election, the chances of re-election of congressmen are very good. The American voter, under ordinary circumstances, has a proclivity for casting his ballot for a familiar name to the great advantage of the incumbent. In districts where the political balance is close, the fortunes of the candidates are closely tied to the presidential nominees, but there are frequent examples of vote splitting. Johnson says:

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[9]Wilson, op. cit., p. 195.

[10]Millspaugh, op. cit., p. 171.

[11]Johnson, op. cit., pp. 231-236.

> There is a turnover of individual Congressmen from one term of Congress to another ranging from one fifty to one fourth, but the type of personnel . . . probably does not change much from one Congress to another.[12]

Turnover in recent Houses (for all causes) has been less. Newly elected in November 1950 for service in the 82nd Congress were seventy-one members, of which fourteen had previous House service.[13] In the election of November 1954, there were fifty new members elected, plus six members returned to the 84th Congress who had not served in the 83rd Congress.[14] Thus, the turnover was less than thirteen percent in an election year in which the majority control of the House change between parties.

In the final analysis, the membership of the House reflects the wishes of the majority of the individual voters in the several districts. Adams takes a pessimistic view of the problem:

> The comparatively simple social and governmental problems of 1787 had become so overwhelmingly complex that it is a question today whether we or any other nation are going to be able to solve them by intelligence or whether we shall become the victims of uncontrolled forces. In the early days men received a political education in the town meetings, and most of their problems were close to their homes. By 1900 the organization of the political system had become such that it seemed to run with as little chance for the individual to influence it as the dynamo in a central power plant.[15]

More hopeful is the knowledge that most of the members are well-educated men--far more so than most of their constituents--although there is reason to believe they eschew this fact in public for political reasons. Improvement in

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[12] Ibid., pp. 362-63.

[13] U. S. Congressional Directory, 82nd Congress, 1st Sess., March, 1951, passim.

[14] U. S. Congressional Directory, 84th Congress, 1st Session, March, 1955, passim.

[15] Adams, The Epic of America, p. 347.

the membership will follow improvement in the electorate; a job for the public schools in which we invested over seven billion dollars in 1952 alone.[16] Reformers would do well to look to their own school districts and to strike at the source of the difficulty, not at its manifestations.

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[16] The World Almanac and Book of Facts, 1956, p. 483. 1952 was the last year cited.

CHAPTER V

THE CONGRESSIONAL DISTRICT

Apportionment

Apportionment is the process by which seats in the House of Representatives are allocated to the several states. Constitutional requirements are that every state shall have at least one seat and that disbribution of additional seats shall be based on the respective numbers within the states. Enumeration by a decennial census is provided. Congress has failed but once (1920) to reapportion seats among the states after the census was completed. Congress may provide for any number of seats with the reservation that the total shall not exceed one representative per thirty thousand inhabitants. The present total of 435 represents about one per 345,000 people.

The importance of apportionment is twofold: (1) equitable representation in the House of Representatives, and (2) the effect on the election of a President since the electoral vote of each state is the apportioned number of representatives plus two. Valid apportionment methods can be used with any size of the House and results will be consistent with the principle upon which the method is based.[1] To prevent recurrence of the failure in 1920 to reapportion, "the Reapportionment Act of 1929 set the 'permanent' number of House members at 435 and provided for automatic reapportionment in case Congress

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[1]Laurence F. Schmeckebier, Congressional Apportionment, (Washington, D.C.: The Brookings Institution, 1941), p. v, 2.

[1]Lawrence C. Shoemaker, Congressional Investigations, (Philadelphia, The Franklin Institute, 1933), p. 7.

fails to act."[2] The President submits to Congress in the first session after completion of the census, a proposed apportionment based on figures developed by the Bureau of the Census. The apportionment takes effect unless contrary action is taken by Congress within sixty days.[3] This method reduces political consideration in apportionment to the minimum--a vital factor since the shift of a few seats between one-party states could easily decide the election of a president or control of the House in close elections. Schmeckebier analyses automatic apportionment as follows:

> The automatic apportionment is desirable because the method is specified in advance, and no one knows whether any state or group of states will be favored. It avoids logrolling and controversy, and prevents a stalemate such as occurred after the census of 1920.[4]

Methods of apportionment should be both equitable and mathematically sound. Methods in use in the Nineteenth Century met neither standard. Jefferson's rejected fraction method, used between 1790 and 1830, divided a ratio of seats to population into the state population and awarded seats on the basis of whole number results, all fractions being dropped. There were frequent charges that this method, in addition to being unsound in a mathematical sense, favored the South and West at the expense of the Northeastern states. This charge is supported by the fact that when the use of this method would have favored the latter, the method was changed.[5]

The Vinton method, 1850-1900, employed a fixed ratio and used highest fractions to fill the remainder of the quota. This method created both the

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[2]John H. Ferguson and Dean E. McHenry, The American System of Government, (New York: McGraw Hill Book Company, Inc., 1950), p. 255.

[3]Ogg and Ray, op. cit., p. 184.

[4]Schmeckbier, op. cit., p. 124.

[5]Ibid., pp. 112-13.

Alabama and population paradoxes. In the Alabama paradox, a state receives a smaller delegation with an increase in the size of the house, all populations remaining constant. This was first noted in 1880 when Alabama would have lost a seat with an increase of House membership from 299 to 300. In the population paradox, with a fixed ratio of representation, an increase in population may result in an actual decrease in the size of the House.[6] "No method has been devised which uses a fixed ratio and avoids paradoxes."[7]

"There are five modern systems of apportionment which are mathematically correct, which are easily applied through the use of a priority list, and which avoid paradoxes."[8] Each starts with a different premise and results may vary considerably. Two of these methods are recognized by statute, major fractions and equal proportions. The former provides the smallest absolute difference between each state in the individual share of a representative; the latter, by use of the geometric mean, provides the smallest relative difference. The method of equal proportions has been in use since 1941.

"Mathematicians generally agree that the significant feature of a difference is its relation to the smaller number and not its absolute quantity."[9] The method of equal proportions is the only one which uses relative differences and provides:

> The smallest relative difference for both average population per district and individual share in a representative. No other method takes account of both these factors. Therefore the method of equal proportions gives the most equitable distribution of representatives among the states.[10]

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[6] Ibid., pp. 5-11; 73-81.

[7] Ibid., p. 73.

[8] Ibid., p. 12.

[9] Ibid., p. 60.

[10] Ibid.

Whatever the method used, the result has generally followed the population trend. Gains in seats have been largely in the rapid-growing Pacific and Mountain states at the expense of the rest of the country. The former have gained twenty-four seats since 1912 of which nineteen are in California. Heaviest losses have been in the North Central states which lost nineteen seats, partially offset by a gain of five in Michigan. Other important exceptions to the general trend are Texas and Florida each of which gained four seats during the period being considered.[11] The result has been, of course, a shift in sectional influence. In the present Congress, the Speaker and Senate majority leader are both Texans. The Vice President and Senate minority leader are from California. Three of the last four presidents have come from states west of the Mississippi River.

Establishment of Districts

After Congress has apportioned the representatives among the states, it is the responsibility of the legislatures thereof to determine the boundaries of congressional districts from which representatives are elected. Congress has provided little guidance in this matter, although fully empowered to do so by the Constitution, and such legislation as Congress has enacted has not been enforced or has been so full of loopholes as to be without practical effect.

For about half a century, there was no rule as to how representatives should be chosen within the states. Some legislatures established districts, others used the general ticket plan--each voter cast a single ballot for all the representatives to which the state was entitled. "The general ticket system contains a grave injustice, in that the party with a plurality of votes, how-

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[11] cf. Anderson and Weidner, op. cit., p. 507, Figure 28 - Changes in Congressional Representation and Electoral Vote, 1912-1952.

ever slight, will win all the representatives in the state."[12] Since this was the same way that presidential electors are chosen, there is doubt that Congress was alarmed about the "injustice" of the general ticket plan, but a disputed election affected the entire New Jersey ticket and upon the settlement thereof depended the control of the House. This proved that the general ticket plan had political limitations and Congress, in 1843, passed a law setting up the single member district plan. This has been diluted by modifications so that additional members gained by apportionment may be elected "at large" and so that failure to redistrict after loss of a seat results in all members being elected "at large." They are, however, elected as individuals rather than on a general ticket plan. This device has been used in both New Mexico and North Dakota to avoid creation of districts so that both members from each state are elected "at large."

"The requirement from 1901 to 1929 was for single-member districts of compact and contiguous territory, as nearly equal in population as possible."[13] This legislation was never enforced and has been determined in the courts to be no longer in effect since it was not re-enacted in the 1930 apportionment bill.

Due to lack of standards imposed either by federal or state legislation, "there is a wide variation in the extent to which the traditional standards of equal population and of contiguous and compact territory are followed."[14] There appears to be no legal method by which a state may be forced to reapportion its districts, no matter how far they vary from any equitable standard.

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[12] Johnson, op. cit., p. 353.

[13] Ferguson and McHenry, op. cit., p. 256.

[14] W. Brooke Graves, American State Government, (Boston: D. C. Heath and Company, 1953), p. 19.

If appropriate statutes were enacted, individual citizens could, perhaps, compel action through the courts. Since the courts would have to permit the exercise of a considerable amount of legislative judgment, it is doubted if this remedy would be very successful except in the most obvious cases.

As will be demonstrated later, there are still many states in which there is room for a great deal of improvement in the matter of districting. Although there is evidence of gerrymandering and disproportionate representation of rural areas, the principal evil is the failures of states to do anything. "Since Congress has no authority to compel state legislatures to act except by denying seats to representatives from states which refuse to redistrict, districting plans, long outgrown, continue in effect."[15]

Schmeckebier's proposed solution: "The most satisfactory remedy in case of lack of action or compliance within the state seems to be to have the districting done by Congress.[16] To the writer, this cure seems worse than the evil. To make the creation of districts a national political football could have serious effects. Since the House as a whole can have little knowledge of the situation in any given state, it is likely the incumbent members would be able to create their own districts and a majority faction could avenge itself on any unpopular member. This would give Congress undue power to perpetuate itself.

Again, the best solution seems to lie in improvement of the electorate. Congress should enact legislation to establish standards for districting and rely upon the voters in the individual state to demand corrective action as needed. There are many organized pressure groups, both business and labor,

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[15]Walker, op. cit., p. 139.

[16]Scheckebier, op. cit., p. 143.

who would lead the protest. One means Congress has to force some action in the states is to refuse to seat members elected "at large" from states entitled to more than one representative. It is doubted that Congress has either the knowledge or political objectivity necessary to create desirable districts within the many states in an effective manner--its time could certainly be used to better advantage.

State Action

One excellent reason for the states' failure to establish equitable congressional districts is the fact that their own legislatures are seldom truly representative. "The members from the rural districts have always constituted a majority in the state legislatures."[17] This, in early days when society was predominately agricultural, was right and proper. Now, despite a relative decrease in those who classify themselves as farmers, the control is no less complete. For example, in Connecticut, Union, population 234, and Hartford, population 166,326, have equal representation in the state legislature.[18] One must agree with Holloway who says that "rotten boroughs" exist in several states and that it is general that large cities are under-represented if for no other reason than that the legislators from rural areas are reluctant to reapportion their own seats out of existence for the benefit of the cities.[19]

Walker cites a study made in 1937 which disclosed that "in only five states . . . was urban representation in both houses of the state legislature

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[17] Graves, op.cit., p. 197. "Always" is not quite correct. Cf. footnote 20.

[18] Ibid., pp. 197 ff.

[19] William Vernon Holloway, State and Local Government in the United States (New York: McGraw-Hill Book Company, Inc., 1951), pp. 134-136.

legislation. The Committee, through special orders, may give precedence to particular measures, limit debate on them, and specify the number and nature of amendments. The Committee exercises power by inaction as well. Many measures are killed or delayed until compromise is reached by failure of the Committee to act.[6] "Congress always makes what haste it can to legislate. It is the prime object of its rules to expedite lawmaking."[7]

The Speaker

The Speaker of the House of Representatives is one of the most powerful political leaders in the United States. He is, after the Vice President, next in succession to the President. Even before the revolt of 1911, however, his powers were exercised through other leaders. To quote Wilson, writing in 1885:

> He (the Speaker) is a great party chief, but the hedging circumstances of his official position as presiding officer prevent his performing the part of active leadership. He appoints the leaders of the House, but he is not himself the leader.[8]

"What the Speaker meant to those who drew up our instrument of government cannot be gathered from the records of the Convention, for there appears to have been no debate on the matter."[9] From the prior political experience of the members in colonial assemblies and Congress, it must be inferred that they expected the Speaker to be a political leader rather than the non-political moderator who acts as Speaker of the House of Commons.

Though since the First Congress the Speaker has been a powerful political figure, the first seven incumbents of the office seem to have been men of

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[7]Wilson, op. cit., p. 294.

[8]Ibid., p. 60.

[9]Mary Parker Follett, The Speaker of the House of Representatives, (New York: Longmans, Green and Co., 1896), p. 25.

secondary importance--at least little more than their names survived the history of the period. The first famous Speaker was Henry Clay, Speaker in six Congresses before election to the Senate, Secretary of State, and three times unsuccessful candidate for President. The new principles of speakership power set forth during Clay's tenure in office were, "First, the increase of the Speaker's parliamentary power; secondly, the strengthening of his personal influence; and thirdly, the establishment of his position as a legislative leader."[10] That Clay, with Calhoun and the other "War Hawks," used this power largely to force war with England which was neither necessary nor successful (and, considering the state of the armed forces of the United States in 1812, might better be termed foolhardy) over the better judgment of President Madison and the violent objections of the Northeastern States, only confirms the great power in the hands of a vigorous Speaker when supported by an energetic majority of the House.[11]

The powers of the Speaker gradually increased by virtue of the increased size of the House, which required more effective discipline, and due to the stratification of political parties.

> In the post-Civil War era, the office had reached a new pinnacle of authority and prestige. This was in part because of the increased power of Congress, which had engaged and defeated President Johnson in the conflict over Reconstruction. Also, a long series of undistinguished Presidents, extending from Grant through McKinley, had strengthened congressional ascendancy over the executive.[12]

Forceful and capable leaders (Blaine, Reed, Randall, Cannon) in the same period ultimately created almost absolute power in the Speaker based on his right in

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[10] Ibid., p. 71.

[11] Francis F. Beirne, The War of 1812, (New York: E. P. Dutton & Co., 1949), pp. 64-95.

[12] Kelly and Harbison, op. cit., II, 616.

"(1) appointment of committees, (2) his chairmanship, ex officio of the Committee on Rules, and (3) the 'recognition' of a member to address the House."[13] The Speaker was generally considered next to the President in power.

The Speaker was the party leader, but when the majority party found itself with no recognized leader, a struggle for position began. Factors of previous service, political motives, sectional claims, private interests, and personal characteristics of the candidates influenced the choice of the party caucus.[14]

The ultimate in dictatorship by the Speaker was reached by Cannon[15] and resulted in the revolt of 1911 against his authority:

> The rise of the Progressive bloc in Congress opened up the possibility of an effective Progressive-Democratic attack on the Speaker's powers. The Progressives looked upon the office as it was then employed as an affront to their ideal of democratic self-government and as a reactionary bulwark against the passage of liberal social legislation. They were eager to cooperate with the Democrats in an effort to reduce Cannon's authority. Representative George W. Norris of Nebraska was the astute director of the campaign toward this end.[16]

Victories of the rebels included the inauguration of "Calendar Wednesday" in 1909. This set aside one day a week in which the Speaker was obliged to take up the business of the House in order without regard to priorities fixed by the Rules Committee and prevented bills of individual members from burial. In 1910, the power of the Speaker to appoint the Rules Committee was abolished,

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[13]Finer, op. cit., p. 478.

[14]Follett, op. cit., pp. 33-40.

[15]cf. Roger Butterfield, The American Past, (New York: Simon and Schuster, 1947), p. 337. Butterfield describes Speaker Joseph Gurney Cannon of Illinois as a "hard-boiled hayseed who had made himself autocrat of the House. Cannon first entered Congress in 1873 and won the nickname of 'Foul-mouthed Joe' by his barnyard talk."

[16]Kelly and Harbison, op. cit., II, 617-18.

instead membership was elected by the House. When the Democrats secured control of the House in 1911, the Speaker was no longer allowed to appoint members of other committees.

In defense of the Speakership, Alexander wrote:

> It is doubtful if Speakers have, as a rule, been unduly partial in their appointments. Custom based on unwritten law has obliged them to recognize long service, peculiar fitness, party standing, and a fair division among States and important groups of men.[17]

Nevertheless, almost from the beginning there were constant complaints of partiality, of which there were abundant examples, and personal motives. That it was customary to appoint members to committees based on their friendliness or hostility to certain proposed legislation was understood and generally accepted. Under a system of party and political leadership, it is difficult to see how the Speaker could have done otherwise. More difficult to defend was the policy, particularly after the Civil War when public morals were at an unusually low state, of consulting important men of industry before the Speaker released his appointments. It was often reiterated that both Blaine and Randall had too intimate an acquaintance with the "gentlemen of the lobby." Demand for reform gradually attracted greater support. The result of the "reform" was a diffusion of responsibility and "after four years of testing out a Committee of Committees, the opinion of the most prominent members on both sides of the House, although perhaps not publically expressed, is, that it is a failure."[18] Whatever the abuse of power which may be charged to individual Speakers, to quote Reed, "What he does, he does it in the open." Loss of appointment power by the Speaker has been replaced by the automatic operation of the seniority system which is also the subject of much attack.

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[17] Alexander, op. cit., p. 67.

[18] Ibid., p. 90.

Another power of the Speaker, which has largely remained, is the power of recognition, or failure to recognize. This power is based on the implication in the Rule of 1789 that when two or more members happen to rise at once, the chair should exercise its judgment. It became the custom to recognize committee chairmen over the individual members and by 1843, Speaker White had declared this to be the invariable practice. It became common practice for the Speaker to fail to recognize outstanding advocates of undesired legislation or opponents of the party line. Later Speakers, notably Blaine, Carlisle, and Cannon increased the use of this precedent for political and personal reasons. During the Reed period it became customary to inquire, "For what purpose does the gentleman rise?" For almost a century a member was considered to have the right of appeal to the House on matters of non-recognition by the Speaker. In 1881, Speaker Randall refused to adopt the precedent and compared the finality of his rulings in the matter to that of the Supreme Court in its interpretation of the law. This, of course, had the effect of preventing the consideration of much proposed legislation and aroused resentment among many of the members. On the other hand, it must be appreciated that for the House to transact its necessary business within the time limits which prevailed, it was impossible to allow unlimited debate and discussion at length of inessential and dilatory motions.[19]

Despite the curtailment of his powers, the Speaker, by reason of his personal eminence, without which he would hardly hold the office, is considered to have the greatest influence over legislation of any individual. He is still the most important officer in the House and a senior member of the majority party. He preserves order, puts all questions and announces the decisions of

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[19] Ibid., pp. 57-62.

[10] Ibid., pp. 57-60.

the House. His rulings are seldom questioned--members of his own party do not desire to vex him and the minority appreciates the futility of forcing a vote in which the Speaker will be sustained by the majority.[20]

The Speakership has become in fact, if not in individual desire, a terminal office. Of all the Speakers, only one, Polk, became President. Two others, Clay and Blaine, were major party nominees. The fact is that many Speakers were mediocre men; others had offended too many people in reaching office or in holding it; and some, by the time they had achieved seniority necessary for the office, were too old for further consideration.[21]

Standing Committees

A dominant role in policy making in the House is played by the standing committees. With power to report or to bury; amend or rewrite; initiate or ignore; expedite or delay; and in effect determine what the House will consider, "the real locus of legislative power is not in the House or Senate; it is in the standing committees."[22] The same situation existed 70 years ago. To quote Wilson:

> I know not how better to describe our form of government in a single phrase than by calling it a government by the chairmen of the Standing Committees of Congress. This disintegrate ministry, as it figures on the floor of the House of Representatives, has many peculiarities. In the first place, it is made up of the elders of the assembly; for, by custom, seniority in congressional service determines the bestowal of the principal charimanships; in the second place, it is constituted of selfish and warring elements; for chairman fights against chairman for use of the time of the assembly, though the most part of them are inferior to the chairman of Ways and Means, and all are subordinate to the chairman of the Committee on Appropriations.[23]

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[20] Johnson, op. cit., pp. 374-377.

[21] Ibid., pp. 377-78.

[22] Galloway, op. cit., p. 228.

[23] Wilson, op. cit., pp. 102-103.

In the First Congress, committee members were selected by ballot, but, this having proved unsatisfactory, the Speaker was empowered in 1790 to appoint members unless otherwise specially directed by the House. The original principle seems to have been that the committees would be impartial board of investigation, but they soon became actively partisan.[24] In the era before the Civil War, there were several instances where members of the minority party (e.g., Webster, J. Q. Adams) were appointed to committee chairmanships, but now these appointments are never given to the minority and are regarded as legitimate prerogatives of the majority.[25]

After the revolt of 1911, the Speaker lost his power of appointment, but as a senior party leader he still has a strong voice in the matter. Each party nominates its own members to the standing committees based on numerical allocations which roughly follow the proportions of party members in the entire House. Members of a Committee on Committees, selected by the Republican caucus, designate the Republican members. The Democrats operate in a similar manner through the Ways and Means Committee. With certain exceptions, membership is limited to one standing committee and, once appointed, a member is seldom dropped from a committee except at his own request for a place on a more desirable committee.[26] From sixty, the House reduced the number of standing committees to nineteen by 1946, which number has continued through the 84th Congress. With a total membership of 435, it may be seen that opportunities for chairmanships are rare and, in the major committees, require extensive seniority.

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[24] Alexander, op. cit., p. 66.

[25] Follett, op. cit., p. 220.

[26] Johnson, op. cit., p. 382.

TABLE 1

SERVICE OF MAJOR COMMITTEE SENIORS
84th CONGRESS

Committee	Democratic Chairman	Yrs.	Republican Senior Member	Yrs.
Appropriations	Cannon (Mo.)	33	Taber (NY)	33
Ways & Means	Cooper (Tenn.)	27	Reed (NY)	37
Rules	Smith (Va.)	25	Allen (Ill.)	23
Armed Services	Vinson (Ga.)	41	Short (Mo.)	23
Agriculture	Cooley (NC)	22	Hope (Kans.)	29
Banking & Currency	Spence (Ky.)	25	Wolcott (Mich.)	25
Education & Labor	Barden (NC)	21	McConnell (Pa.)	12
Interstate & Foreign Commerce	Priest (Tenn.)	15	Wolverton (NJ)	29
Average Service:	26.125			26.375

The standing committees, in turn, are largely dominated by their chairmen. The chairmen appoint the subcommittees, refer bills to them, determine the agenda, approve the calling of witnesses and staff appointments, and handle bills on the floor. They call meetings, schedule hearings, and allocate debate time during House consideration. Holding office by virtue of seniority (usually in "safe" districts, it would be difficult otherwise to achieve sufficient seniority), they exercise tremendous influence over the other committee members --both by promise of favor or withholding of support.[27] "In short, committee chairmen exercise crucial powers over the legislative process."[28]

[27] Cf. Wilson, op. cit., pp. 60-61: "The leaders of the House are the chairmen of the principal Standing Committees. Indeed, to be exactly accurate, the House has as many leaders as there are subjects of legislation; . . . It is this multiplicity of leaders, this many-headed leadership, which makes the organization of the House too complex to afford uniformed people and unskilled observers any easy clue to its methods of rule."

[28] Galloway, op. cit., p. 289.

TABLE 1

[illegible] OF [illegible] [illegible]
[illegible]

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Since most members belong to but one committee and there is no machinery established to facilitate or encourage integration of programs, each committee considers its share of the proposed legislation with little, if any, reference to other committees.[29]

The need for the standing committees is obvious. The House as a whole has not the time to consider the thousands of bills that are introduced in the course of a session. "The work is done for the most part by committees, and the House simply acts upon the committee reports."[30] Griffith has a similar conclusion:

> Both houses are engaged in a constant and, to a considerable extent, a losing struggle against the avalanche of business which the complexities, crises, and political insistences of the present day have produced. . . . a measure of solution [has been found] in the floor rules and in division of labor among committees. . . . The standing committee is the chief instrument with which Congress uses specialization to confront complexities.[31]

It would appear that the House lost this struggle against the press of business a long time ago, before the so-called complexities of the modern world existed.[32] Now the House has gone one step further--delegation to the sub-com-

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[29]Cf. Wilson, op. cit., p. 61: "For the chairman of the Standing Committees do not constitute a cooperative body like a ministry. They do not consult and concur in the adoption of homogeneous and mutually helpful measures; there is no thought of acting in concert. Each committee goes its own way at its own pace. It is impossible to discover any unity or method in the disconnected and therefore unsystematic, confused, and desultory action of the House, or any common purpose in the measures which its Committees from time to time recommend."

[30]Johnson, op. cit., p. 381. [31]Griffith, op. cit., p. 16.

[32]Cf. Wilson, op. cit., p. 79: "The House sits, not for serious discussion, but to sanction the conclusions of its committees as rapidly as possible. It legislates in its committee-rooms; not by the determinations of majorities, but by the resolutions of specially-commissioned minorities; so that it is not far from the truth to say that Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work." Also, Ibid., p. 82; "It would seem, therefore, that practically Congress, or at any rate the House of Representatives, delegates not only its legislative, but

mittee because the committee is too large to operate efficiently. This is particularly true in the Appropriations Committee. "The only members of the House who really have a chance to understand a particular program are the half-dozen subcommittee members who sit through the hearings, and their comprehension varies with the nature of the programs they consider."[33]

The real problem of legislation by committee is, therefore, lack of a coordinated program. The press of business is just too great, both in executive and legislative agencies, seemingly to control the broad programs in a manner which will provide efficient and economical government. Effective legislation requires specialized advice, but that very specialization contributes to the problem already created by sectionalism and local interests of members. As will be discussed, it is difficult for either major party even to agree within its own membership on an integrated national policy much less to make it effective. We seem to have dozens of little legislatures and executives each going its own way with coordination, if any, restricted to the vital issues upon which the safety of the nation depends. The specialized committee of the House works with or in competition with an equally specialized executive agency. Each attempts to make policy, often conflicting, and the dominance of local over national interest has and may be expected to continue to prevent any sort of an integrated or even very logical program. The best current example of this inability to coordinate effort is in agriculture where problems of subsidies, disposal of surplus, and creation of additional arable land through irri-

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also its deliberate functions to its Standing Committees. The little public debate that arises under the stringent and urgent rules of the House is formal rather than effective, and itis the discussions which take place in the Committees that give form to legislation.

[33] Arthur Smithies, The Budgetary Process in the United States, (New York: McGraw-Hill Book Company, Inc., 1955), p. 134.

gation projects defy rational understanding.

Repeated reference has been made to the Congresses of the Nineteenth Century to demonstrate that this problem of committee government is nothing new. If there be any good solution under a system of representative government, it has escaped the notice of the writer.

Seniority

The problem of seniority has been considered in part throughout this chapter. It exists because seniority substantially disregards all qualifications except length of continuous service on a given committee. It has other ramifications, from appointment to desirable committees in the first place to assignment of desirable office space, but the major criticism is in regard to committee chairmanships. If a member can continue to be re-elected, regardless of his actual ability, sooner or later he will achieve a chairmanship. "While it results in occasional misfits, it has brought to the chairmanship of the greater committees many men of ability and distinction."[34] On the other hand, "Members from 'safe' districts acquire precedence often far beyond their merit."[35]

Actually any attempt to eliminate seniority presents something of a two-edged sword. Johnson describes the dilemma of opponents of seniority as follows:

> It is obvious that the rule does not necessarily mean that ability, or industry, or any other desirable quality, except experience in the House, will be found in a committee chairman. The rule does, however, have the merit of being easy to administer, and it is true that the seniors are usually among the best-qualified men for chairmanships. To abolish the rule would probably precipitate unseemly

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[34] Ogg and Ray, op. cit., pp. 204-5.

[35] Walker, op. cit., p. 209.

> scrambles and intrigues for chairmanships, which would be worse than the occasional unfortunate situations to which the present system gives rise.[36]

One great difficulty of the seniority system is that one or more of the chairmen may be out of sympathy with the program of the party majority. By mere delay he can seriously disrupt the legislative process. While there are certain means to require committees to discharge bills which are "temporarily" interred in the process of committee consideration, these methods are so cumbersome and require so much action by a majority of the House that they are seldom evoked and are less often successful. "Evidence of committee autonomy is seen in the difficulty of discharging bills from the committees of Congress and in the infrequency with which this happens."[37] This problem is common to both major parties:

> The real difficulty that the seniority rule presents is one of control of legislative policy. In the case of both Republicans and Democrats, the members of Congress with the most seniority are not necessarily those who best represent the predominant point of view of the party. Out of proportion to their numbers, Southeners dominate Democratic chairmanships and the more isolationist or conservative Republicans dominate theirs.[38]

The latest protests against the seniority rule in Congress were made by Senators Morse and Lehman over the elevation of Senator Eastland to the chairmanship of the Judiciary Committee. Objection was based on the claim that Senator Eastland would not be an impartial agent of the Senate. When the question was put to the Senate, March 6, 1956, there was no roll call, but the only voices heard in opposition were those of Morse and Lehman. "Senator Barkley said that while he disagreed with Senator Eastland about many things, no one

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[36] Johnson, op. cit., pp. 382-83.

[37] Galloway, op. cit., p. 296.

[38] Anderson and Weidner, op. cit., p. 528.

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has yet found a suitable substitute for the seniority rule the Senate has followed with only three exceptions for 175 years."[39]

Increased retirement benefits have induced some of the more senior members to indicate recently that they would not seek re-election. This provision for honorable retirement with pay may rid the House of some of its more senile or invalid members, but there is no assurance that those that leave will be those who can best be spared. The legislation is good, however, and possibly should be made more liberal. The only way for the House to assure itself of a reasonable turnover and a more active participation by the younger members is to amend the rules so that no member with more than a specified year's service would be eligible for a chairmanship. Loss of their chairmanships might induce some of the worst old mossbacks to retire. Whether or not the new chairmen would be an improvement is open to debate--some of the seniors are extremely dedicated and capable men. It would prevent one chairman from blocking legislation almost indefinitely.

Political Parties

"Far more than is commonly realized, Congress is at heart bipartisan or nonpartisan."[40] Members of the minority party frequently endorse the objectives of a particular bill, but offer amendments shaded toward the immediate political situation. Rarely is a major alternative offered or is the existence of the problem denied.[41] Legislative leaders must influence rather than coerce.

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[39] The Evening Star, (Washington, D. C.), March 6, 1956, p. 1.

[40] Griffith, op. cit., p. 151.

[41] Cf. Wilson, op. cit., p. 100. "It may be said, therefore, that very few of the measures which come before Congress are party measures. They are, at any rate, not brought in as party measures. . . . only a very slight examination of the measures which originate with the Committees is necessary to show

[illegible] followed with more [illegible] for [illegible].[20]

[illegible] although [illegible] some of the [illegible] [illegible] [illegible]

Few are the members, regardless of the national party platform, who vote contrary to the interests of their districts--silver, labor, agrarian water resources, civil rights, public power, and other blocs transcend party lines. Other than on purley organizational matters, the vote on few measures is divided on party lines. Motions to recommit are more likely to be divided on a partisan basis, but on final passage, where a positive commitment must be recorded, substantial minority influence usually supports the major party position as a replacement for the major party members who vote with the opposition. There are many controversial measures, but the controversy is seldom purely, or even substantially, partisan.

There is actually a certain political advantage to being considered relatively independent in many districts--particularly where the parties are fairly evenly divided. Appeal to the majorities of both parties and avoidance of the stigma of "bossism" have been worth many votes. There have been many cases in recent years where congressmen have been re-elected despite the fact that their districts supported the other party in statewide or national elections. In the State of Washington, home of the wide-open primary, the ultimate in split tickets was achieved in 1952: presidential, Republican; senatorial, Democratic; six district congressmen, six Republicans; one congressman-at-large, Democratic; governor, Republican; legislature, divided; and similar results in minor state offices and county elections.

Again, this is not a new phenomenon. Seventy years ago Wilson concluded that party responsibility in the House usually begins and ends with the formal organization and election of officers. The chief reason:

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that most of them are framed with a veiw to securing their easy passage by giving them as neutral and inoffensive character as possible."

> . . . because the parent of all the rest, is that there are in Congress no authoritative leaders who are the recognized spokesmen of their parties. Power is nowhere concentrated; it is rather deliberately and of set policy scattered amongst many small chiefs. It is divided up, as it were, into forty-seven seigniories, in each of which a Standing Committee is the court-baron and its chairman lord-proprietor.[42]

One reason for this lack of party responsibility is the nature of the major parties themselves. "Absence of firmly defined and broad social purposes pursued over many decades"[43] is the distinguishing mark of both parties. "They are very like each other in their organizational basis, and their appeal to all classes and occupations and areas."[44]

In 1885, Wilson wrote:

> It is probably also this lack of leadership which gives to our national parties their curious, conglomerate character. It would seem to be scarcely an exaggeration to say that they are homogeneous only in name. Neither of the two principal parties is of one mind with itself. Each tolerates all sorts of difference of creed and variety of aim within its own ranks. Each pretends to the same purposes and permits among its partisans the same contradictions to those purposes. They are grouped around no legislative leaders whose capacity has been tested and to whose opinions they loyally adhere. They are like armies without officers, engaged upon a campaign which has no great cause at its back. . . . Their names and traditions, not their hopes and policy, keep them together.[45]

Sixty-five years later, Millspaugh reached the same conclusions:

> Each of the major parties is a loose alliance of faction. As an organization, it is disunited and without appropriate means of discipline. These phenomena are accompanied by and related to an intellectual undermining and moral weakening of the party. It lacks a logically developed, a sufficiently able, and a continuously effective leadership, and it is unable to maintain its solidarity. Consequently, we do not have clear party responsibility and definite party government.[46]

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[42] Ibid., p. 92.

[43] Finer, op. cit., p. 353.

[44] Ibid., p. 359.

[45] Wilson, op. cit., p. 324.

[46] Millspaugh, op. cit., p. 62.

. . . Between the period of all the rest, is some sense due to
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of their position. Based to single considered: it is replace be-
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[illegible].[5]

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[1] [illegible], p. [illegible]. [illegible], [illegible] p. [illegible].

[2] [illegible], p. [illegible]. [illegible], [illegible], p. [illegible].

[3] [illegible], [illegible], p. [illegible].

Thus we have little political control over Congress by means of the organized parties. Each promises what it hopes to be enough to win the forthcoming election and blames the other for every conceivable calamity. In truth most national elections are decided on the basis of personality and how mad at the moment the voters are at the party in power. Even this is a misnomer, since neither party is really in power. What little control the party held over its candidates largely disappeared with the advent of the direct primary. Even then, local issues often determined the elections. Each party, in and out of Congress, contains shades of opinion ranging from pre-McKinley to post-Henry Wallace. For either party to present a program palatable to both extreme groups is impossible and temporary inter-party alliances of men of similar thinking is the usual scheme of things. Northern and Southern Democrats (or Eastern and Midwestern Republicans) usually fight more with each other than with the opposite party.

While this produces a certain amount of inefficiency and irresponsibility in government, it is not necessarily something to abhor. Fortunately, our political traditions do not support major party organization on class or economic grounds. A glance at the instability of a multi-party system, such as in France, makes our two-party system far more attractive. For the major parties to limit themselves to members of like thinking would create numerous additional parties to accomodate those who would be otherwise left out. The result would probably be more political instability than at present. Ultimately, we may come to non-partisan congressional elections similar to those now in effect for two state legislatures and many city councils. California has almost achieved this with a cross-filing primary system which permits a candidate to win the nomination of both major parties and face but minor opposition in the general election.

Localism

The natural desire of Congressmen for re-election requires attention to the wants of local groups in a constituency. This is reflected in the introduction of many bills in the House and the insertion of many speeches in the Congressional Record which may or may not reflect the actual views of the member. The member is thus provided with political ammunition and he relies on the good judgment of the committee to fail to report doubtful legislation. In a similar manner members desiring to serve the broad public interest must avoid offense to minority groups. The power of the Rules Committee to prevent measures from reaching the floor--where a vote would force the member either to commit political suicide or to vote for a measure which he was convinced was against the public welfare--has helped the members to avoid the strong organized pressure of certain groups (veterans, labor, Negro, segretation, big business, etc.). These and other procedural methods are necessary for the survival politically of the members--particularly those who are the least selfish and most concerned with the national welfare. "Far too many in the electorate feel so intensely on some one issue that the member's total record is ignored."[47] To take a stand on every issue is soon to create such a number of disgruntled voters as to make re-election of the member most unlikely. Blocking of action by means of other than a direct vote thus preserves the services of many of the better members.

Millspaugh, who takes a dim view of Congress at best, says:

> Under ordinary circumstances, the reason for divergent and contradictory opinions is to be found in the geographical distribution of economic interests. In some states and particularly in some congressional districts, a majority or most of the voters are farmers; while

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[47] Griffith, op. cit., p. 18.

> other electoral subdivisions show a predominance of industrial wage earners. The agricultural interest, the industrial interest, or the labor interest includes a large number of subinterests. These are, generally speaking, the real 'special interests' of which we hear so much. In a particular congressional district, most of the voters may have the same special interest or a special interest may hold the balance of power. In such cases, the representative of the district in Congress will necessarily be controlled or at least strongly influenced by that interest.
>
> Consequently, members of Congress tend to become, and in practice they usually are, representatives of special interests and generally respond to the demands of those interests, even when such demands have no relation whatever to any national public opinion. On the other hand, when a special interest is absent from a district, its representative is inclined to feel unconcerned, except from the standpoint of party regularity or logrolling.[48]

"This economic and sectional pattern reflects itself within Congress in a number of ways. . . . most obvious are the coveted memberships on committees which consider the measures most decisive for the region . . . which the member represents."[49] Membership of many committees is thus largely restricted to members with a local axe to grind--agriculture is dominated by the farm states; labor and education by the districts dominated by organized labor or conservative capital, each to offset the other; interior and insular affairs from states west of the one hundreth meridian; Merchant Marine and fisheries from maritime and lake-front districts (thus two of seven members from the State of Washington in the 84th Congress served on this committee); and, judiciary by friends and enemies of segregation. In this specialized Congress, recommendations of the committees are a very potent influence on the success or failure of the proposed legislation. Hearings are easily arranged so that witnesses are called who share the views of members. By logrolling methods additional support may be obtained for specialized legislation. Thus, many laws are enacted by and

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[48] Millspaugh, op. cit., p. 167.

[49] Griffith, op. cit., p. 110.

for the groups which they will most directly effect with little regard for the welfare of the country as a whole. Such economic monstrosities as the protective tariffs and other subsidies, capital gains taxes, and the punitive progressive income and estate taxes are the result of selfish and unenlightened class legislation. High excise taxes on tobacco products, alcoholic beverages and playing cards represent the influence of bigoted religious groups more than the merits of certainty and ease of collection which make these levies administratively attractive. Reform in this area is beyond the control of Congress. The selfishness, ignorance and emotional UN stability of the American voter can usually be relied upon to elect representatives who will support interests of the local voter to the possible detriment of the national interest. Until such time as the educational system of this nation is capable of improving the intellectual capacity of the voters, there need be little hope for much improvement in Congress.

Under these circumstances, it is necessary that we view with understanding the motivation and resulting actions of the members of Congress so that desirable measures may be made as politically attractive as possible and undesirable ones exposed in a manner which will best create an unfavorable public reacion. An understanding of the Congress is necessary--not because we can change it, but because we must live with it. The personal view of the writer is that Congress usually does a great deal better than we have any right to expect and that most of the members are much more capable than is generally appreciated or, perhaps, than they (the members) want their constituents to realize.

It is argued in favor of our localized scheme of representation as follows:

> That (1) it enables the different sectional and regional interests of a vast country to be voiced and considered in the legislative process; (2) local interests can find expression in the House and sectional interests in the Senate, whereas the President serves the national interest; (3) it keeps the government closer to the people since congressmen can and do inform their constituents about national problems; and (4) no other plan of representation would be as democratic or as practicable.[50]

Congress is envisioned as the protector of state's rights and the buffer between the citizen and the great federal bureaucracy. Critics assert that Congressmen can disregard the national interest without fear as long as they please their own constituents. Greater interdependence of the economy as expressed in the growth of great cities and national markets reduces the importance of localism. Despite this, few statesmen emerge who can put aside local influence and fewer are re-elected. One solution which has been offered is to broaden the interest of congressmen by increasing the term of office to four years with, perhaps, half the membership elected each two years. This would be less democratic in that the members would not be as immediately responsive to the will of the electorate.

Other recommendations which have been made include elimination of the usage that members must be residents of the districts from which elected--how this is to be accomplished is not stated. Also increase of party government, national choice in some way of committee chairmen, and provision for additional members to be elected from the entire country have been considered. All of these seem difficult of implementation. The last proposal has some merit and could be tied to other suggestions that ex-presidents be made life members of the Senate. These will be considered in the next chapter. Another proposal, that members be made ineligible for re-election, seems too visionary for serious consideration.

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[50] Galloway, op. cit., p. 212.

CHAPTER VII

SIZE OF THE HOUSE

Discussions as to the optimum size of the House of Representatives turn to two conflicting arguments: (1) the House is already too large for effective action as a deliberative assembly; and, (2) the House is too small to be representative of the population and to accomplish its duties. It is generally agreed that the House is always under the press of time and that the demands, both legislative and from individual constituents, upon the members are too great. "The great majority of the senators and representatives are conscientious and busy men. There are not enough hours in the day for them."[1] "The ratio of Representatives to population has fallen from one to 33,000 in 1790 to one for every 344,586 in 1950. At the 1790 ratio, the House today would have 4,542 members."[2]

As far back as 1832, there was a feeling among many that the House membership had increased too rapidly. In debate, Webster predicted that "by the natural operation of events the old states must part with a considerable portion of their representation." Later there was a period of understanding between the slower growing older states, desirous of retaining at least their existing seats, and the faster growing younger states, ambitious for additional members. The result was a steady increase in the size from census to census.

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[1] Johnson, op. cit., p. 365.

[2] Galloway, op. cit., p. 260.

"The champions of reform in 1902 demonstrated that a smaller number would result in economy, in freedom from confusion, in decreased power of committees, larger opportunity for the individual, and less rigid rules."[3]

Many of the sources cited seem to have trouble arriving at a conclusion other than a vague notion that there were too many members. This is supported by the indefinite "some" and "they." For example, Galloway writes:

> A body with several hundred members, so the argument runs, cannot function as a real deliberative assembly. Some believe that the House is already too big and that it should be reduced to around 300 members.[4]

Ogg and Ray agree: ". . . the membership . . . is too large. . . . It is generally agreed that something like 300 would be a figure more compatible with efficient conduct of legislative business."[5] Johnson tells us that: ". . . the present membership . . . is generally considered too high for the most satisfactory working of a legislative body."[6]

Millspaugh, more emphatic, states: "The House of Representatives, particularly, is not a working group but an unwieldy 'multitude.' It has long since ceased as a body to be deliberative. Debates on the floor are rarely of any consequence."[7] Walker takes a more neutral position, but brings out the fact that the smaller the size of the House, the greater the proportionate influence of the smaller states. He writes:

> There has been considerable criticism of the size of the national House of Representatives. It is too large for informality in procedure, particularly in debate. Close time limits must be set upon speeches. The number of persons who may speak on a question must be restricted. Because of its large size and the heterogenity of its membership, control tends to gravitate into the hands of small cliques of majority party leaders. The size of the House rests entirely upon

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[3]Alexander, op. cit., p. 7.

[4]Galloway, op. cit., p. 262.

[5]Ogg and Ray, op. cit., p. 264.

[6]Johnson, op. cit., p. 352.

[7]Millspaugh, op. cit., p. 212.

> the determination of Congress. The smaller the House, the larger the number of people which each member will be called upon to represent, and the fewer the members who will be allotted to each state. Under the 1940 census each member represents approximately 300,000 persons on the average. If the House were reduced to one-half its present size, say to 220 members, each would have to represent approximately 660,000 on the average. Ten states, which had, in 1940, less than 600,000 persons each would still, under the Constitution, receive one representative, thus increasing the disproportion which exists even now because of this provision.
>
> While there is no general agreement, it is generally conceded the House of Representatives should not be reduced in size.[8]

There is one flaw in the above arguments. In 1884, before the admission of ten small (population-wise) western states, there were 315 members in the House of Representatives and exactly the same conditions prevailed which are now cited to demonstrate that 435 members are too many. Passages already quoted from Woodrow Wilson's excellent little book, Congressional Government, show that domination by committees, limitations on debate, and control by small majority cliques were the order of the day then no less than now.

Arguments in favor of a larger House include the fact that:

> Congressmen now have more people to represent, that individual and group demands upon them for special services and legislative action have immensely multiplied, that they have become less accessible to the people and less responsive to their interests, and that they can no longer maintain close personal relationships with their constituents.[9]

Anderson and Weidner feel that "there is a tendency for party discipline to increase as members increase."[10] This is not borne out by comparison of Wilson's writings with contemporary literature on the subject. In neither instance has party discipline been a factor in the legislative process.

"When compared with foreign legislatures of recent decades, Congress is

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[8]Walker, op. cit., p. 165.

[9]Galloway, op. cit., p. 261.

[10]Anderson and Weidner, op. cit., p. 492.

still a relatively small body."[11] Again slightly misleading--most foreign legislatures perform the executive function as well as the legislative through the parliamentary system. Actually, the British House of Commons has 630 members, to be increased slightly by the addition of Malta's delegation.

Finer presents the strongest argument on either side:

> The bigger the number of representatives, the smaller need the electoral districts be. This conduces to heightened representativeness. For good law, representativeness is of cardinal importance; all men get the sense that they are being duly heard in the uses of authority. On the other hand, too large an assembly may be so unwieldy as to defeat effective procedure. In my own opinion, the claims of thorough representativeness have a very high order of validity. As for procedural clumsiness, since so large a part of legislative work is already done in committees, there is very little harm in increasing the size of the legislature. Indeed, I strongly favor the increase in size of the lower house to eight hundred in all modernized democratic states. This increase is to allow for more representativeness, and for the full manning of the many committees which a modern assembly must have to prepare the laws and, above all, to supervise the administration. I fully appreciate the need for a small, well-knit, coherent assembly, to attain coherence above all. But the other claims are powerful; it is the business of internal procedure to meet them, and to provide for coherence also. In a planning age, the legislature must be bigger. If time cannot be stretched beyond three hundred and sixty-five days in a year, then the legislature's burdens must be borne by multiplying its working members.[12]

The writer must conclude that the argument for a larger House is the sounder for the following reasons: the present size is already unwieldy, as it was in 1884 with 120 less members, so this disadvantage to increased membership is relatively unimportant; there is need for increased representativeness and smaller districts; smaller districts will permit better districting by the states since it would be easier to create districts of single political units--refusal to admit members-at-large from states apportioned more than one seat would force redistricting action in some of the hesitant states; additional

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[11] Ibid.

[12] Finer, op. cit., p. 390.

[illegible]

members would permit larger committees, more diversified talent, and opportunity for increased specialization of members; and, increased membership would be more democratic since the influence of the single member states would be less in proportion to the whole and more nearly in proportion to actual population. Tables 2 and 3 hereafter are to demonstrate the results of a larger House and how "good" districting could thereby be accomplished in an average state. The State of Washington was selected for the latter purpose both because the writer is more familiar with the political geography of Washington than of other states and because it is nearly the median state (23rd) in population.

There has been considerable criticism of Congress because members often vote upon legislation of which they know little of the actual content and rely for decision upon committee recommendations and political alignments. This is a natural result of the modern age of complex problems, specialization, and expert knowledge. Even if it were possible to interest them in running for Congress, where would it be possible to obtain representatives well versed in more than a limited number of subjects? Most of the incumbents are lawyers, who as a profession rely upon expert witnesses, with business, agriculture, and education furnishing most of the rest of the membership.

Unfortunately the numbers of Jeffersons and Franklins that this country can produce are limited. How many members of a university faculty are well informed in the details of disciplines other than their specialty? How many professional men are widely read outside of their profession? Do many business men or farmers, largely technically educated, have much knowledge of affairs outside their industry? A fair answer to all of these questions would probably be "very few." Yet from these and similar sources are congressmen nominated.

Even if we could obtain congressmen well versed in the fields of law,

TABLE 2

APPORTIONMENT OF REPRESENTATIVES AT THE
RATE OF ONE PER 250,000 POPULATION
ESTIMATED, BASED ON 1950 CENSUS
AND MAJOR FRACTIONS

STATE	1950	PROP.
Maine	3	4
New Hampshire	2	2
Vermont	1	2
Massachusetts	14	19
Rhode Island	2	3
Connecticut	6	8
New England States:	28	38
New York	43	59
New Jersey	14	19
Pennsylvania	30	42
Middle Atlantic States:	87	120
Minnesota	9	12
Iowa	8	10
Missouri	11	16
North Dakota	2	2
South Dakota	2	3
Nebraska	4	5
Kansas	6	8
Ohio	23	32
Indiana	11	16
Illinois	25	35
Michigan	18	25
Wisconsin	10	14
North Central States:	129	178
Washington	7	10
Oregon	4	6
California	30	42
Pacific Coast States:	41	58

STATE	1950	PROP.
Delaware	1	1
Maryland	7	9
Virginia	10	13
West Virginia	6	8
North Caroline	12	16
South Carolina	6	8
Georgia	10	14
Florida	8	11
South Atlantic States:	60	80
Kentucky	8	12
Tennessee	9	13
Alabama	9	12
Mississippi	6	9
Arkansas	6	8
Louisiana	8	11
Oklahoma	6	9
Texas	22	31
South Central States:	74	105
Montana	2	2
Idaho	2	2
Wyoming	1	1
Utah	2	3
Colorado	4	5
Nevada	1	1
Arizona	2	3
New Mexico	2	3
Rocky Mountain States:	16	20

Totals by Apportionment:	
1950	435
Proposed (37.7% increase)	599

Totals by Area:	1950-%	Prop.-%
Northeast	115- 26.4	158-26.4
North Central	129- 29.7	178-29.7
South	134- 30.8	185-30.9
West	57- 13.1	78-13.0

TABLE 3

PROPOSED REDISTRICING OF THE STATE OF WASHINGTON WITH TEN MEMBERS OF THE HOUSE OF REPRESENTATIVES (1950 CENSUS)

District	County				Population (thousands)
1	King: 1/2 City of Seattle				234
2	King: 1/2 City of Seattle				234
3	King: less City of Seattle				265
4	Pierce: including City of Tacoma				276
5	North Puget Sound, East to the Cascade Mountains				
	Snohomish	112	Skagit	43	
	Whatcom	67	Island	11	
	San Juan	3			236
6	Olympic Peninsula and South Puget Sound				
	Clallam	26	Jefferson	12	
	Kitsap	76	Mason	15	
	Grays Harbor	54	Thurston	45	228
7	South Pacific Coast and lower Columbia River				
	Clark	85	Cowlitz	53	
	Skamania	5	Pacific	17	
	Lewis	44	Wahkaikum	4	208
8	East Central--East of Cascade Mts. West of Columbia River				
	Klickitat	12	Benton	51	
	Yakima	136	Kittitas	22	
	Chelan	39			260
9	Eastern Washington (less Spokane County)				
	Franklin	14	Douglas	11	
	Walla Walla	40	Okanogan	29	
	Grant	24	Ferry	4	
	Adams	7	Stevens	19	
	Whitman	32	Pend Oreille	7	
	Asotin	11	Lincoln	11	
	Columbia	5	Garfield	3	217
10	Spokane County: including City of Spokane				222

Population range: Between smallest (7th) and largest (4th) is 32.7% of the smallest.

finance, education, economics, transportation, public utilities, the strategy and logistics of war, foreign affairs, labor relations, agriculture, and public administration--to cite but a partial list of fields in which controversial legislation is frequently considered--sheer lack of time would prevent careful consideration by the individual member of all or even the most important measures before the House. Actually, the matter of relative importance is far from cut and dried. The writer, therefore, is of the opinion that it is unrealistic to expect these all-purpose legislators to emerge out of thin air as a result of certain "reforms." The rest of the country relies upon expert advice as needed so why should not the Congress? That seniority of service with committee specialization produces a member who is himself a specialist in a certain field and is, therefore, trusted and respected by his colleagues as regards his opinions or recommendations in that particular field does not seem unreasonable.

The question of nation AT representation is frequently discussed. To serve the full purpose, such nationally elected or appointed figures would have to have all of the existing rights and privileges of other members--including vote, committee appointments, emoluments, debate, etc. Election of six national senators, two each SECOND year for six year terms, would provide not only the services of distinguished national leaders, but also an automatic presidential nomination preference. Sitting members would have proved their vote-pulling strength in national elections. House members should probably represent broad areas. Based on 1940 and 1950 census figures, fifteen national representatives could be divided equitably as follows: northeast 4, north central 4, south 5, west 2. Here too a reputation could be made leading to higher office.

A second group of talent which would improve the Congress is the very limited number of ex-presidents and ex-vice presidents that are available at any one time. Automatic appointment of the former to the Senate and the latter to the House for life, again with the same rights and privileges as other members, would provide the greatest experience available where it would help the most.

Figures 4 and 5 show how few of these leaders would be available at any one session even assuming that health and age permitted them to participate.

TABLE 4

VICE PRESIDENTS WHO, SINCE 1900,
SURVIVED THEIR TERMS IN OFFICE

Levi P. Morton of New York	(1900-1920)	20 years
Adlai E. Stevenson of Illinois	(1900-1914)	14 years
Charles W. Fairbanks of Indiana	(1909-1918)	9 years
Thomas R. Marshall of Indiana	(1921-1925)	4 years
Charles G. Dawes of Illinois	(1929-1951)	22 years
Charles Curtis of Kansas	(1933-1936)	3 years
John N. Garner of Texas	(1941-)	15 years
Henry A. Wallace of Iowa	(1945-)	11 years
Alben W. Barkley of Kentucky	(1953-)	3 years
		101

Average number of survivors per year (101/56): 1.80

TABLE 5

PRESIDENTS WHO, SINCE 1900, SURVIVED
THEIR TERMS IN OFFICE

Grover Cleveland of New Jersey	(1900-1908)	8 years
Benjamin Harrison of Ohio	(1900-1901)	1 year
Theodore Roosevelt of New York	(1909-1919)	10 years
William Howard Taft of Ohio	(1913-1930)	17 years
Woodrow Wilson of Virginia	(1921-1924)	3 years
Calvin Coolidge of Vermont	(1929-1933)	4 years
Herbert Hoover of Iowa	(1933-)	23 years
Harry S. Truman of Missouri	(1953-)	3 years
		69 years

Average number of survivors per year (69/56): 1.23

There is one other source of representation which must be considered--the District of Columbia and the territories. Since none is a state, there is no valid argument for representation in the Senate; but since the inhabitants of each pay federal taxes, they should be able to elect representatives with the rights and privileges of any other member in lieu of the delegates or no representation which now exist. By declaration of the Continental Congress in 1776, one of the causes which impelled separation from England was "For imposing Taxes on us without Our consent."[13] Our position in doing the same thing, is scarcely admirable. Added representation from these sources would be approximately: Alaska 1, Hawaii 2, and the District of Columbia 2, under the 1950 apportionment. Based on the recommended 599 member House, this would be: Alaska 1, Hawaii 2, and the District of Columbia 3. Puerto Rico, being a commonwealth under separate tax laws, is not considered in this connection and the small possessions should not achieve representation until, if ever, they

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[13] Declaration of Independence.

achieve territorial status.[14]

All of the above would require amendment to the Constitution, but the effort is considered well worthwhile. National representation would offset the evils of localism to some extent and certainly there can be little argument as to the "right" of our district and territorial taxpayers to representation in the national House. If these and the increased House recommendation were all implemented, the total size of the House would be not more than 623.

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[14]The question of whether these and the so-called national representatives should be included or separate in the organization of the Electoral College has not been considered. That should be the subject of a separate study in connection with some of the electoral "reforms" now being proposed by various members of the Congress.

CHAPTER VIII

CONCLUSIONS

Conclusions of the writer have been introduced, with appropriate comment and argument, throughout this text. In brief summary they are: that much improvement in the House of Representatives will depend in the long run on a better educated electorate; that the present apportionment process is sound and should be continued; that there is need for a larger House, perhaps some 600 to 630 now (or by 1960) and a gradual increase as the national population increases; that Congress should take positive action to improve districting standards; that the full impact of seniority should be curtailed by limited tenure in committee chairmanships; that it should be recognized that we are and will continue to be in an age of specialization; that there should be some form of national representation to neutralize the influence of sectionalism and localism; and that the territories and the District of Columbia should be represented in the lower assembly of the national legislature.

BIBLIOGRAPHY

Adams, James Truslow. The Adams Family. New York: Blue Ribbon Books, 1930.

_____. The Epic of America. New York: Blue Ribbon Books, 1931.

Alexander, DeAlva S. History and Procedure of the House of Representatives. Boston: Houghton Mifflin Company, 1916.

Anderson, William, and Weidner, Edward W. American Government. New York: Henry Holt and Company, 1953.

Bailey, Stephen K. Congress Makes a Law. New York: Columbia University Press, 1950.

Bailey, Stephen K. and Samuel, Howard D. Congress at Work. New York: Henry Holt and Company, 1952.

Beirne, Francis F. The War of 1812. New York: E. P. Dutton & Co., 1949.

Bowers, Claude G. The Tragic Era. New York: Blue Ribbon Books, 1929.

Butterfield, Roger. The American Past. New York: Simon and Schuster, 1947.

The Declaration of Independence.

The Evening Star. (Washington, D. C.). March 6, 1956.

Ferguson, John H. and McHenry, Dean E. The American System of Government. New York: McGraw-Hill Book Company, Inc., 1950.

Finer, Herman. Theory and Practice of Modern Government. New York: Henry Holt and Co., 1949.

Follett, Mary Parker. The Speaker of the House of Representatives. New York: Longmans, Green, and Co., 1896.

Galloway, George B. The Legislative Process in Congress. New York: Thomas Y. Crowell Company, 1953.

Gosnell, Cullen B. and Holland, Lynwood M. State and Local Government in the United States. New York: Prentice-Hall, Inc., 1951.

Graves, W. Brooke. American State Government. Boston: D. C. Heath and Company, 1953.

Griffith, Ernest S. Congress Its Contemporary Role. New York: New York University Press, 1951.

Holloway, William Vernon. State and Local Government in the United States. New York: McGraw-Hill Book Co., Inc., 1951

Johnson, Claudius O. Government in the United States. New York: Thomas Y. Crowell Co., 1952.

Kelly, Alfred H. and Harbison, Winfred A. The American Constitution. 2 vols. New York: W. W. Norton & Co., Inc., 1948.

Lorant, Stefan. The Presidency. New York: The MacMillan Company, 1952.

Millspaugh, Arthur C. Toward Efficient Democracy. Washington, D. C.: The Brookings Institution, 1949.

Ogg, Frederic A. and Ray, P. Orman. Essentials of American Government. New York: Appleton-Century-Crofts, Inc., 1950.

Paxson, Fredric L. History of the American Frontier 1763-1893. Boston: Houghton-Mifflin Company, 1924.

Schachner, Nathan. Thomas Jefferson. Vol. I. New York: Appleton-Century-Crofts, Inc., 1951.

Schlesinger, Arthur M., Jr. The Age of Jackson. Boston: Little Brown and Company, 1946.

Schmeckebier, Laurence F. Congressional Apportionment. Washington, D. C: The Brookings Institution, 1941.

Smithies, Arthur. The Budgetary Process in the United States. New York: McGraw-Hill Book Company, Inc., 1955.

U. S. Congressional Directory. 82nd Congress, 1st Session, March 1951.

U. S. Congressional Directory. 84th Congress, 1st Session, March 1955.

U. S. Constitution.

Walker, Harvey. The Legislative Process. New York: The Ronald Press Company, 1948.

The Washington Post and Times Herald. March 18 and 27, 1956.

Wilson, Woodrow. Congressional Government. Boston: Houghton-Mifflin and Company, 1898.

The World Almanac and Book of Facts, 1956. New York: The New York World-Telegram, 1956.

equal to or greater than the percentage of urban residents to the total population of the state."[20] Inequities in the apportionment of state legislatures result from several causes: (1) failure to reapportion when due, e.g., Connecticut since 1818, which in turn is caused largely to prevent shifting of power, whether economic, political, or geographical; (2) constitutional limitations, e.g., California which limits senators to not more than one per county so that Los Angeles county, containing just less than forty percent of the population of the state, has but one of forty state senators; and, (3) influence of politics, e.g., the gerrymander, to prevent shifts of political control based on usually heavy Democratic urban and Republican rural majorities.[21]

Not mentioned in any of the sources studied in connection with this paper, but worthy, perhaps, of consideration, is the factor of population. The Bureau of the Census classified the 1950 population census of the United States to be 64 percent urban (96 million against 54 million rural), but this classification reports inhabitants of villages of 2500 and up as urban. This is most misleading politically since most of these small town voters are either former farmers or depend upon agriculture for a substantial part of their business--thus becoming essentially rural in economic and political outlook.

The presence of large minority groups is evident. There were some fifteen million negroes, ten million foreign born whites, and 5,200,000 Jews (almost one-half of the world's Jewish population) counted in the 1950 census. That the bulk of these minority groups, excepting Southern negroes and certain Northern European whites, is concentrated in the large cities may be a factor

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[20]Walker, op. cit., p. 140.

[21]Graves, op. cit., pp. 200-202.

in the reluctance of rural dominated legislatures to allow the cities their proportionate share in representation, either state or national. Among the more striking examples are: one-third of the foreign born whites are concentrated in eight cities; forty-four percent of the Jewish population lives within the City of New York; and there are such large immigrant blocs in other cities as twenty-eight thousand Irish in Boston, ninety-four thousand Poles in Chicago, sixteen thousand Hungarians in Cleveland, fifty-seven thousand Canadians in Detroit, forty thousand Mexicans in Los Angeles, fifty-four thousand Russians in Philadelphia, and twenty thousand Italians in San Francisco.[22] When it is considered that there are many more native whites of foreign born or mixed parentage and that there is a tendency for these minority groups to concentrate in certain sections of the city where language, religious, cultural and other ties with the "old country" are maintained, brave indeed is the legislator or congressman who, with large minority groups in his district, can take an objective view toward many problems of civil rights, foreign aid, military assistance, and similar controversial issues.

Another cause is the usual difference of political philosophy, regardless of political party, between the so-called conservative county and liberal city members. For example, Baily notes that, in 1945, of twenty-one congressmen on the Committee on Expenditures in the Executive Department, fourteen were classed as "conservatives." Eight of these"conservatives" came from districts containing no city larger than 30,000 population; five of seven "liberals" represented tremendous urban concentrations.[23]

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[22] The World Almanac and Book of Facts, 1956, pp. 259-65.

[23] Stephen K. Bailey, Congress Makes a Law, (New York: Columbia University Press, 1950), p. 152.

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Regardless of cause, there seems to be no valid argument against equality of apportionment. In a few states use of the initiative has forced reapportionment; others have no such constitutional provisions. As Gosnell and Holland have well said:

> For state legislatures to refuse reapportionment of their memberships in the face of constitutional mandates is to deny to the people one of the very fundamentals of representative government.[24]

Thus the rural dominated legislatures have favored rural areas in the creation of congressional districts. To quote Galloway:

> During the decade 1940-1950, for example, rural districts were overrepresented in Congress by a margin of 12 members, and urban districts were underrepresented by 14, or 17 if the District of Columbia is considered to be part of the United States. Moreover, in mixed rural-urban districts representation is often distorted by the submergence of urban minorities. This distortion is magnified by the disparities in the population of congressional districts, which in states like Ohio, Illinois, and Missouri have been so gross as to give rise to 'rotten borough' representation in Washington. The distortion is further increased by the operation of the seniority custom in the choice of committee chairmanships, the majority of which are held by members from rural areas.[25]

In amplification of the greater liklihood of members from rural districts achieving greater seniority, a recent report stated: "Two-thirds (61) of the 93 House districts won in 1954 by less than 55 percent of the votes were in mid-urban or big city areas."[26] In this report, mid-urban areas are defined as containing cities over 50,000 in population.

Speaking in opposition to a proposed constitutional amendment to change the method of counting votes in presidential elections, Senator Paul Douglas

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[24] Cullen B. Gosnell and Lynwood M. Holland, State and Local Government in the United States, (New York: Prentice-Hall, Inc., 1951), p. 595.

[25] George B. Galloway, The Legislative Process in Congress, (New York: Thomas Y. Crowell Company, 1953), p. 263.

[26] The Washington Post and Times Herald, March 27, 1956, p. 10.

of Illinois said that the proposal would cost large cities and states what limited influence they now have in national politics. Douglas said:

> I would not oppose it if the large cities were not underrepresented in state legislatures and the national House of Representatives, but the fact is that most cities are grossly under-represented in the legislatures. The legislatures, in turn, gerrymander the congressional districts so that the cities are under-represented by perhaps 20 seats in the House of Representatives.[27]

The Gerrymander

A gerrymander is best described as an unnatural and arbitrary redistricting of a state or county or, in other words, the unfair or abnormal altering of a political map.[28] One of the greatest discrepancies noted by Galloway was in Ohio where the Fifth District had 166,932 inhabitants and the Twenty-second District had 908,403.[29] This was corrected in the recent redistricting of the state.

The origin of the gerrymander was as follows:

> In 1812 Governor Elbridge Gerry and the Republican legislature of Massachusetts carved the state into new voting districts. In Essex County they strung 12 towns together in such a way that the heavy Republican vote in one of them (Marblehead) would overbalance the Federalists in the other 11. On the map this district looked like a squatting salamander. Engraver Elkanah Tisdale added claws, wings, and fangs to the map and published it in the Boston Weekly Messenger as "THE GERRY-MANDER." This famous cartoon introduced a permanent word into American politics and helped defeat Governor Gerry for re-election. (He was elected Vice President on Madison's ticket later the same year.) But the gerrymander achieved its purpose. In 1812 only 11 Federalist state senators were elected in Massachusetts to 29 Republican, although the Federalists got 51,766 popular votes and Republicans, 50,164. This looked like cheating

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[27] Ibid., March 18, 1956, p. A 10.

[28] cf. Anderson and Weidner, op. cit., p. 511. Figure 30--Gerrymandering the State of X--is an excellent graphic presentation of how a state can be divided east-west or north-south to achieve two opposite political results.

[29] Galloway, op. cit., p. 261.

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to most voters and caused a violent reaction against the Republicans in Massachusetts.[30]

A more modern example of the gerrymander was found in the Fourteenth Ohio District.[31]

The gerrymander is accepted by some as a legitimate political weapon. Certainly it still exists in practice. Since, in many instances, a slight shift in boundaries will often produce a large shift in political control, the temptation is understandable. Neither party is without blame and the cry of "unfair" or "gerrymander" is the usual reaction of the minority party--whether sustainable or not. The most recent case of note was the attempt to redraw the boundaries of the Fifth Wisconsin to unseat a Democratic congressman. The attempt was defeated by the governor, a Republican, who vetoed the bill passed by the Republican legislative majorities. There is a political danger in being too crude as the more enlightened voters often support the injured party in the next election as a protest against obvious unfairness.

Districts of the 84th Congress

Conditions as they exist in the 84th Congress are set forth hereafter. Information was abstracted from the U. S. Congressional Directory, 84th Congress, 1st Session. Only examples of unfair or undesirable districting are cited. Generally, in a given state, only the greatest population discrepancies are noted; there may be others of lesser magnitude. Comment included should not be attributed to the above reference.

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[30] Roger Butterfield, The American Past, (New York: Simon and Schuster, 1947), p. 51. This reference also contains an excellent reproduction of the famous cartoon. Lest Republican readers be offended, it should be remembered that the above Republicans were the forerunners of the present Democratic party.

[31] Stephen K. Bailey and Howard D. Samuel, Congress at Work, (New York: Henry Holt and Co., 1952), pp. 31-34.

Alabama.--Population 9th District (including Birmingham), 558,928; 6th District (8 counties), 250,726; the two districts are in part contiguous with a north-south boundary.

Arkansas.--Population 1st District (10 counties), 407,480; 2nd District (13 counties), 224,278; the two districts are contiguous.

California.--"The Los Angeles County Gerrymander"--Los Angeles County is unique in that it is not only the second largest county in the nation in terms of population (about 400,000 less than Cook County, Illinois), but it contains three major cities (Los Angeles, Long Beach, and Pasadena) and a host of smaller urban centers. In addition, it is the leading county in the United States in value of all farm products sold ($156,962,336.00).[32] Since it contains about forty percent of the state population, it has twelve of thirty congressional districts.

Republican Districts	population
15	360,139
16	223,703
17	286,505
20	226,679
21	390,824
22	219,018
24	287,325
25	369,848
Total Population	2,364,041

Democratic Districts	population
17	431,254
19	453,942
23	421,623
26	480,827
Total Population	1,787,646

Average size of districts:

Republican (8)	295,505
Democratic (4)	446,912
County Average (12)	345,974

Districts are classed as Republican or Democratic based on party designation of the incumbent congressman, a reasonably valid conclusion since 11 of 12 incumbents were re-elected from the 83rd Congress and the 12th (James Roosevelt, 26th District) succeeded another Democrat who did not seek re-election. It

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[32] The World Almanac and Book of Facts, 1956, p. 664.

is difficult to believe it a coincidence that the Republican controlled state government created four Democratic districts all larger than eight Republican districts. An interesting subject for a more specialized dissertation would be the political map of Los Angeles County with the consideration of political, economic, racial, income, and agricultural groupings as compared with congressional and legislative district bounds.

Colorado.--Population 1st District (including Denver), 415,783; 4th District (Western Colorado), 173,298. Here there is a good geographical argument for the difference--the 4th District is all of Western Colorado, separated from the rest of the state by the Rocky Mountains.

Connecticut.--Population 1st District (including Hartford), 539,661; 5th District (contiguous to 1st District), 274,300; one member elected "at large"--Connecticut is badly in need of redistricting.

Florida.--Population 4th District (including Miami) 525,041; 8th District (15 counties), 210,428. Having just completed redistricting to accomodate two new seats awarded after the 1950 census, upon which these population figures are based, there seems to be little justification for this wide variance.

Georgia.--Population 5th District (3 counties, including Atlanta), 618,413; 9th District (18 northeastern counties), 246,227. These two districts are contiguous so it would not take much imagination to transfer one or two of the small counties from the 5th to the 9th District to help equalize the relative numbers.

Indiana.--Population 11th District (including Indianapolis), 551,777; 9th District (14 counties in southern Indiana), 258,441.

Iowa.--Population 2nd District (12 counties), 414,421; 4th District (14 counties), 252,926.

Kansas.--3rd District (9 counties), 227,270; 4th District (15 counties), 448,435. These two districts are contiguous so transfer of counties from the 3rd to the 4th District should not be too difficult.

Kentucky.--Population 1st District (17 western counties), 304,978; 3rd District (including Louisville), 484,615.

Louisiana.--Population 6th District, 417,898; 8th District, incumbent G. S. Long, son of the late Huey P. Long, 249,776.

Maryland.--Population 1st District (eastern shore), 210,623; 5th District (including part of Baltimore), 426,371.

Michigan.--Population 12th District (north peninsula), 178,251; 16th District (including part of Detroit), 525,534. The second smallest district, the 11th, is also in the north penensula.

Minnesota.--Population 3rd District (including part of Minneapolis), 433,942; 9th District (15 northwest counties), 273,125.

Mississippi.--Population 2nd District, 281,207; 4th District, 426,396.

Missouri.--Population 1st District (St. Louis), 427,856; 8th District, (19 counties in the southeast), 276,499. Of eleven districts in Missouri, the three largest are all in St. Louis.

New Jersey.--Population 1st District (including Camden), 441,978; 2nd District (south Atlantic), 258,127. New Jersey is unique in that metropolitan Hudson County (Jersey City, Hoboken, Bayonne) is over-represented, i.e., 13th District, 269,643; 14th District, 275,053.

New Mexico.--Both congressmen are elected "at large"--one notes that both incumbents are from Santa Fe.

North Carolina.--Population 1st District (14 tidewater counties), 247,894; 4th District (7 piedmont counties), 401,913.

North Dakota.--Both congressmen are elected "at large."

Ohio.--Population 3rd District (2 counties including Dayton), 545,644; 15th District (7 southeastern counties), 226,341.

Oklahoma.--Population 1st District, 439,518; 3rd District, 266,995.

Oregon.--Population 2nd District, 247,383; 3rd District (including Portland), 471,537. The 2nd District comprises all of eastern Oregon, isolated by the Cascade Mountains, with a very different climatic and economic situation and is twice as big in area as the other three Districts combined.

Pennsylvania.--Population 14th District (including Reading), 255,740; 26th District (southwest), 444,921.

South Carolina.--Population 2nd District, 415,893; 5th District, 266,559. Both contain numerous counties and are contiguous.

South Dakota.--Population 1st District (44 eastern counties), 493,641; 2nd District (24 western counties), 159,009. Time has marched on and left South Dakota--it is now possible to cross the Missouri River.

Tennessee.--Population 8th District (9 counties north of Memphis), 247,943; 9th District (including Memphis), 482,393.

Texas.--Population 5th District (including Dallas), 614,799; 8th District (including Houston), 806,701; 20th District (including San Antonio), 500,460; 17th District, 226,739. Texas elects one congressman-at-large despite the fact that Harris County alone (8th District) is more than entitled to two congressional districts.. Texas is an outstanding example of the rural gerrymander and is badly in need of redistricting.

Washington.--Population 1st District (Seattle and Kitsap County), 527,768 3rd District (southwest and contiguous to Kitsap County), 321,162. King County (Seattle), population 732,992, is divided among three districts. One member

is elected "at large" as the politically divided legislature has been unable to agree on a revision of districts.

West Virginia.--Population 1st District, 279,954; 6th District, 446,466.

Wisconsin.--Population 4th District (Milwaukee), 438,041; 10th District (14 northwestern counties), 249,654.

There is no need to belabor the above except to conclude that the need for redistricting on a more equitable basis in most states is obvious. The findings support previous conclusions that, in general, the urban districts are large in comparison with rural districts and that the science of gerrymandering is not dead. Many writers have indicated a belief that legislatures should not be restricted to county or similar political boundaries when setting up districts. This is valid to an extent, but if the legislatures could cut up counties at will, the results might well be worse. Virginia, for example, could eliminate the political influence of the "Arlington Yankees" by dividing the County among several other districts extending, if necessary, to the North Carolina border.

Congress should enact legislation setting up standards for districting and rely upon the citizens of the several states to enforce these requirements. An exception should be the matter of congressmen-at-large from states with more than one district. Congress has ample constitutional authority to forbid the seating of such members. This would force the states to eliminate this anachronism lest they lose proportionate influence in the national legislature.

Proposed standards include: (1) single member districts; (2) following existing political boundaries to the most practicable extent; (3) compact and contiguous territories within the districts; (4) where the population of a political entity is in excess of standards for a single district, division into

additional complete districts so that not more than one district would be combined with other political units. In other words, if a city is divided, all but one district from that city must be completely within the city, a nd, (5) population of the districts to be as equal as possible, but in no case will the population of the largest district exceed that of the smallest district by more than forty percent of the population of the smallest district.

CHAPTER VI

CENTERS OF POWER

House Leadership

Centers of power are necessary in any body if much is to be accomplished. Too arbitrary exercise of that power, as in the case of Speaker Cannon, will lead to revolt; but new centers necessarily arise. Today power is diffused through the Speaker, majority leader, committee chairmen (who can usually block and often promote legislation), and the Rules Committee. Exercise of this power is through the political party in the majority at the particular session. Party influence over members is limited by the seniority tradition, but reward for faithful service is available through appointment to a more desirable committee.[1] Party influence is further restrained by the impact of sectional and local considerations.

Political influence is wielded through the caucus which is a meeting of all reasonably regular party men to select officers, approve committee assignments, and, if the majority party, to provide for the organization of the House. Members are expected to follow the dictates of the caucus in matters of party policy, organization, and election of House officers and committee members. Actually about ninety percent of the measures in Congress are nonpartisan in character and the individual member retains a large degree of freedom.[2]

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[1] Griffith, op. cit., pp. 19-24.

[2] Johnson, op. cit., pp. 387-88.

[1] Miliband, op. cit., p. [illegible].

[2] Cameron, op. cit., p. [illegible].

According to Johnson, the majority caucus is in ultimate control of the House through its elected leaders. Johnson says further:

> At times these leaders are allowed practically a free hand; at other times the caucus prefers to retain a share of the control of the party's legislative program and tactics. Whether the caucus controls the House directly or a few party leaders (the President and others) control both the caucus and the House, depends upon the political leaders and upon the spirit of the caucus.[3]

The elected leader of the House is the Speaker. After him is the floor leader. "The head of Ways and Means is the titular leader, and before the division of that committee the multitude of his duties made him the actual leader. But in 1865 the burden of legislation shifted to the chairman of Appropriations, who often becomes the real leader."[4]

Speaking of the floor leader, Alexander, in 1916, said:

> It is said that tact rather than genius is the quality most needed for the work of a floor leader. . . . It certainly does not follow that a floor leader is the most effective debater, or the profoundest thinker, or the accepted leader of his party, although he may be and sometimes is all of these. It should imply, however, that in the art of clear, forceful statement, of readily spotting weak points in an opponent's argument, and in dominating power to safeguard the interests of the party temporarily responsible for the legislative record of the House, he is the best equipped for this trade. It is neither necessary nor advisable for him to lead or even to take part in every debate. The wisdom of silence is a great asset. Besides, chairmen and members of other committees are usually quite capable and sufficiently enthusiastic to protect their own measures. But the floor leader must aid the Speaker in straightening out parliamentary tangles, in progressing business, and in exhibiting an irresistible desire to club any captious interference with the plans and purposes of the majority.[5]

The Rules Committee of the House covers the whole matter of procedure. Its twelve members, practically all veterans of the House, virtually control

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[3] Ibid., pp. 388-89.

[4] Alexander, op. cit., p. 107.

[5] Ibid., p. 109.

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